

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

07 CR 2852

JAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES FOLSOM (1)
GABINO PALAFOX (2),

Defendants.

Criminal Case No. _____

I N F O R M A T I O N

Title 18, U.S.C., Sec. 371
-Conspiracy to Introduce
Unapproved Medical Devices
Into Interstate Commerce;
Title 21, U.S.C., Secs. 331(a)
333(a)(1) and 351(f) -
Introduction into Interstate
Commerce of Unapproved
Medical Devices

The United States Attorney charges:

Count 1

Beginning on or about March 3, 1999 and continuing through on
or about April 10, 2003, within the Southern District of
California, defendants JAMES FOLSOM and GABINO PALAFOX conspired
together and with others to commit an offense against the United
States, to wit: to introduce into interstate commerce a device
that is adulterated in that it lacks approval for marketing from

1 the Food and Drug Administration, in violation of Title 21,
2 United States Code, Sections 331(a), 351(f) and 333(a)(1);

3 In furtherance of said conspiracy and to effect the object
4 thereof, the following overt acts were committed within the
5 Southern District of California:

6 1. On or about February 7, 2003, in San Diego, California,
7 defendant GABINO PALAFOX mailed a biofrequency device to
8 an individual in South Dakota.

9 2. On or about February 1, 2001, in San Diego, California,
10 defendant JIM FOLSOM wrote invoice #2801 for the sale of
11 eight biofrequency devices

12 3. Between on or about March 3, 1999 and on or about April
13 10, 2003, in San Diego, defendants FOLSOM and PALAFOX
14 caused biofrequency devices marketed under the name
15 Biosolutions, Naturetronics and AstroPulse to be sold to
16 individuals throughout the United States.

17 A misdemeanor, all in violation of Title 18, United States Code,
18 Section 371.


19 Count 2

20 Between on or about October 15, 2002 and continuing through
21 on or about March 16, 2005, within the Southern District of
22 California, defendants JAMES FOLSOM and GABINO PALAFOX introduced
23 into interstate commerce a device, to wit, the Energy Wellness
24 machine, that is adulterated in that it lacks approval for
25 marketing from the Food and Drug Administration, a misdemeanor,
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1 in violation of Title 21, United States Code, Sections 331(a),
2 351(f) and 333(a)(1).

3 DATED: October 15th, 2007.
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5 KAREN P. HEWITT
United States Attorney

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7 MELANIE K. PIERSON
Assistant U.S. Attorney
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